

**U.S. EPA REGION 5
REGIONAL TRIBAL OPERATIONS COMMITTEE
CHARTER**

Revised June 2, 2004

Section 1: Mission

Consistent with the U.S. EPA Indian Policy of 1984 and the Browner Action Memorandum of 1994, the mission of the Region 5 Regional Tribal Operations Committee (RTOC) is to:

- Promote the protection of public health and the environment in Indian Country;
- Review and comment on regional environmental strategies on issues of importance to tribes;
- Communicate environmental problems and needs of the tribes;
- Interact with the National Tribal Operations Committee (NTOC), Region 5, and the tribes on relevant environmental issues;
- Assist Region 5 to meet its trust responsibility through enhancing responsiveness to tribal needs and tribal access to U.S. EPA programs, funding, technical assistance, training, and information.

The purpose of the RTOC is not to replace the Agency's responsibility for consultation on a government-to-government basis.

Section 2: Goals

The goal of the RTOC is to form a partnership of tribal and U.S. EPA Region 5 representatives that can work cooperatively to:

- Resolve specific program issues concerning environmental protection in Indian Country;
- Discuss and develop policies to advance environmental protection on Region 5 Indian reservations;
- Discuss national and regional budgetary issues that relate to environmental protection in Indian Country.

Section 3: Roles and Responsibilities

Tribal representatives to the RTOC should obtain input on the agenda items and other significant issues from the tribes in their respective state, prior to the RTOC meeting. There is an expectation that tribal representatives to the RTOC will interact with the tribes in their state on issues raised at the RTOC meetings. Region 5 recognizes that the tribes in each respective state may determine additional roles and/or responsibilities for their representatives to the RTOC.

Region 5 will be responsible for the logistics of the meetings and distribution of meeting notes

following each RTOC meeting. Region 5 will maintain an RTOC Tracking System to record progress and/or status of issues raised during the RTOC meetings. Copies of the RTOC tracking Matrix will be distributed with the RTOC meeting agenda.

Section 4: Membership

A. Tribal Representatives

1) Regional Tribal Operations Committee (RTOC) Representatives

- A. Representatives.** The Tribes in Michigan, Minnesota, and Wisconsin will be asked to designate two (2) representatives for each state, to serve as the (six) 6 tribal members of the RTOC.
- B. Duties.**
 - 1)** Tribal RTOC Representatives shall strive to gather input from all tribes within their respective state and advance that input to the RTOC in a fair and objective manner.
 - 2)** The representative shall attend all RTOC meetings and participate in any RTOC conference calls.
 - 3)** Appointment. The Tribes within each state shall be responsible for determining a method for selecting the Tribal RTOC Representatives for their respective state. Tribal RTOC representatives shall be verified each September to the RTOC Chair and Co-Chair.
- C. Removal.** Failure to attend two (2) consecutive regularly scheduled RTOC meetings may be grounds for removal.
- D. Costs.** At the beginning of each fiscal year, Region 5 will provide funding to reimburse travel costs for each tribal representative. Other officials are welcome to attend the meetings.

2) National Tribal Operations Committee (NTOC) Representatives.

- A. Representatives.** Two (2) NTOC representatives shall be selected to represent Region 5 on the nineteen (19) member NTOC.
- B. Duties.**
 - 1)** Tribal NTOC Representatives shall strive to gather input from the Region 5 RTOC representatives and tribes within the region and advance that input to the NTOC in a fair and objective manner.
 - 2)** The representatives shall attend all NTOC meetings and participate in any NTOC conference calls.
 - 3)** The representatives shall provide reports and/or updates at the quarterly RTOC meetings on NTOC topics and/or issues.
- C. Appointment.** Tribal NTOC Representative for Region 5 will rotate state to state on a staggered two-year basis. No state will be allowed to have more than one (1) representative at any one time unless the Tribe of the state up next in the rotation declines. The rotation will be WI-MI-MN. The Tribes in each state will be responsible for designating a representative when their turn in the rotation comes up.
- D. Term.** The representative terms will be staggered and of two (2) years in length unless the current representative is an elected officer of the NTOC.

That representative will then be allowed to serve out the remainder of their elected term.

- E. Removal. Failure to attend two (2) consecutive regularly scheduled NTOC or RTOC meetings or to participate in any two (2) regularly scheduled NTOC conference calls.

3) Tribal Science Council (TSC) Representatives.

- A. Representatives. One (1) Primary Representative and one (1) Alternate Representative shall be selected to represent Region 5 on the National Tribal Science Council.
- B. Requirements. The following are the minimum requirements for serving as a TSC Representative (primary or alternate):
 - 1) Education or background experience that will allow adequate representation of the interests of Region 5 Tribes on technical matters;
 - 2) Nomination by a federally recognized Tribal Government within Region 5;
 - 3) Employment by a federally recognized Tribe, authorized Tribal Consortium or a tribally affiliated organization such as a Tribal College.
- C. Duties. The duties of the TSC Representatives shall be as follows:
 - 1) Primary Representative. Attend all meetings and participate in all conference calls of the National Tribal Science Council and to report on those proceedings in person or by conference call at each quarterly meeting of the Region 5 RTOC.
 - 2) Alternate Representative. Act for the Primary Representative when the Primary Representative is unable to perform any duty or requirement and to replace the Primary Representative in the event the Primary Representative can no longer serve for any reason.
- D. Nomination. Any federally recognized Tribe within Region 5 may make nominations for the positions of Primary Representative, Alternate Representative or both. The nomination shall be in writing and accompanied by a letter of interest, a resume and/or other statement of qualifications for the nominated person.
- E. Appointment. The TSC Representatives shall be appointed by a majority vote of all Tribal RTOC Representatives at the last regularly scheduled meeting before the end of the serving TSC Representative's term of office.
- F. Term. The term for the TSC Representatives shall be for two (2) years beginning on the first day of October and ending on the last day of September.
- G. Removal. The TSC Representatives may be removed from appointment for failure to complete the duties of the position by a majority vote of the RTOC Tribal Representatives taken at a regularly scheduled RTOC meeting. Failure to attend two (2) consecutive regularly scheduled meetings or to call in on two (2) or more regularly scheduled conference calls of the National Science Council shall be deemed a failure to complete the duties of the

position.

- H. Costs. At the beginning of each fiscal year, Region 5 will provide funding to reimburse travel costs for each tribal representative. Other officials are encouraged to attend the meetings.

B. U.S. EPA Region 5 Representatives

The following Region 5 staff are members of the RTOC:

Regional Administrator/Deputy RA	Assistant Regional Administrator for RMD
Office of Public Affairs, Director (as needed)	Office of Regional Counsel, Director
Air and Radiation Division, Director	Division of Superfund, Director
Water Division, Director	Great Lakes National Program Office, Dir
Indian Environmental Office, Director	Tribal Environmental Liaisons
American Indian Program Manager	
Waste, Pesticides & Toxics Division, Director	
Office of Strategic Environmental Analysis, Director (as needed)	

C. RTOC Co-Chairs

The RTOC will be co-chaired by the Regional Administrator and one tribal RTOC representative. The tribal co-chair will rotate every two years and will be selected by the tribal RTOC representatives. Each term will begin June 1st.

Section 5: Meetings

- A. The RTOC will meet once during each federal quarter. The meeting will be scheduled for 1:00 - 4:00 pm on the first Wednesday of the last month of each federal fiscal quarter (December, March, June, September). **The RTOC reserves the right to be flexible in scheduling the RTOC meeting when held concurrently with the annual General Assistance Program Conference.** Two meetings each year will be held on a Region 5 Indian Reservation, and will rotate among the states.

B. Meeting Minutes

The **IEO** will be responsible for compiling draft minutes from each RTOC meeting. Within 2 weeks of the meeting, the minutes will be distributed to all RTOC members, and to all Region 5 tribal chairs and tribal environmental contacts. Copies of the meeting minutes will also be forwarded to the regional inter-tribal organizations. The meeting minutes will be approved at the following RTOC meeting.

The names and telephone numbers of the tribal RTOC representatives will be included at the end of the meeting minutes. Tribal officials that have questions or comments related to the RTOC meeting are encouraged to contact their respective RTOC representatives.

C. RTOC Tracking System

The **IEO** will be responsible for maintaining an RTOC Tracking System, to follow commitments made at the RTOC meetings. Copies of the RTOC Tracking Matrix will be distributed with the meeting agenda.

Section 6: Communication

- A. RTOC and the National Tribal Operations Committee (NTOC)
The AIPM will report on the NTOC proceedings at each RTOC meeting. NTOC agendas and meeting minutes will be provided to each RTOC member.
- B. RTOC and the 5-Agency MOU Work Group
The AIPM will report on the proceedings of the 5-Agency MOU Work Group meetings at each RTOC meeting. Copies of the meeting notes from the 5-Agency MOU Work Group will be provided to each RTOC member.

Section 7: Certification

The U.S. EPA Region 5 Regional Tribal Operations Committee Charter was reviewed and agreed to by the members of Regional Tribal Operations Committee.

Bharat Mathur, Acting EPA RTOC Co-Chair

Date

Ferdinand Martineau, Tribal RTOC Co-Chair

Date